

REMARKS

Claims 1-42 are pending in the application.

Claims 25-42 are allowed.

Claims 1-2 stand rejected.

Claims 3-24 are objected to.

Claims 1, 3, 13 and 17-19 have been amended.

Allowable Subject Matter

Applicants acknowledge the Examiner's indication of allowability as to Applicants' claims 2-42. Applicants wish to express their heartfelt appreciation for the Examiner's indication of allowability.

Appreciation is also expressed for the indicated allowability of claims 3-24, which stand objected to as being dependent upon a rejected base claim. In response, claims 13 and 17-19 have been amended to put them in condition for allowance by incorporating the subject matter of their corresponding base claims and any intervening claims, and are believed to be allowable for at least this reason. Claims 14-15 and 20-21, which depend from now-independent claims 13 and 19, are also allowable for at least this reason.

Rejection of Claims under 35 U.S.C. §102

Claims 1 and 2 stand rejected under 35 U.S.C. §102(a), as being anticipated by Okabe, U.S. Patent No. 6,031,838 (Okabe). In light of the amendments proffered hereby, Applicants respectfully submit that the rejected claims are now allowable.

As an initial matter, claims 13-15 and 17-21 are believed to be allowable, having been rewritten in independent form, incorporating the subject matter of their corresponding base claims and any intervening claims. However, claims 3-12, 16 and 22-24 have not been so amended, and thus remain objected to.

Applicants respectfully submit, however, that in light of the amendment to claim 1, claims 3-12, 16 and 22-24, as well as claim 2, are now allowable. Applicants have amended claim 1 to include the limitation that the signature data identifies a type of the at least one interface circuit. As noted in the previous Office Action (p. 28, line 16 to p. 30 line 2), the inclusion of such information is simply not comprehended by Okabe, which instead is concerned with using its active/standby identification data to determine whether a given packet should be dropped at the line concentrator based on the state of the line card from whence it came, and not with identifying that line card or its type/configuration/etc. This is reasonable, given that the determination to be made in Okabe is fundamentally one of dropping (or not dropping) a cell based on the state of the line card that sent the cell. Further, this is reasonable because a simple “yes/no” decision can be made quickly and efficiently using the active/standby identification data. (col. 6, lines 48-55)

Applicants, respectfully, must also take issue with the statement in the Office Action that “The applicant *admits* that Okabe teaches each line interfaces [*sic*] adds active/standby *identification* data, which indicates whether its own line interface is active or standby (applicant:

p. 28 last paragraph)." (emphasis supplied) Applicants have taken no such position, in either the cited portion of the response, nor at any other time during the prosecution of this application.

The cited portion of Applicants' previous response reads as follows:

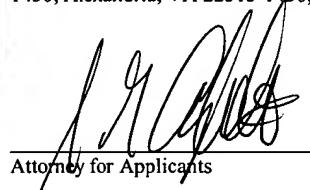
"Applicants respectfully assert that claim 1 (and so claim 2) is distinguishable from Okabe for at least the reason that Okabe fails to teach the claimed signature data, and therefore, the claimed signature logic (as the claimed signature logic is capable of identifying or writing such signature data). As noted in the specification of the instant application, the signature data identifies the router interface that sent the frame received, for example, as a working interface, a protect interface or a non-APS interface. (Specification, p. 11, lines 4-6) The portions of Okabe cited as teaching signature logic that identifies and writes the signature data (Fig. 1 box 25; cell header, col. 6, lines 6-8; adds active/standby data, col. 6, lines 43-48) fail to do so. Okabe teaches only that each line interface adds active/standby identification data, *which indicates whether its own line interface is active or standby*, onto a cell and enters the cell into the line concentrator. (col. 6, lines 45-48) *This identification data merely indicates whether the interface from whence the ATM cell comes is in active or standby mode. This identification data may indicate the state of the interface sending the cell (active or standby), but completely fails to indicate the type of the interface sending the cell, or the capabilities of that interface.*" (emphasis supplied)

Far from admitting that the cited portions of Okabe teaches adding *any* data whatsoever that identifies any of Okabe's line interfaces, Applicants are, in the cited passage, arguing that Okabe adds only active/standby identification data. Thus, Okabe provides no way to identify one or another of the line interfaces, nor to distinguish one line interface from another, save for an indication that the line interface sending the cell is either active or standby state.

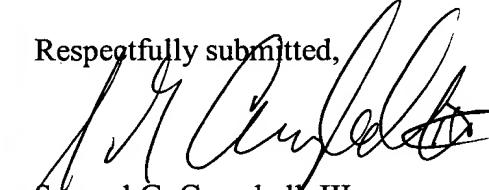
Accordingly, Applicants respectfully submit that independent claim 1, as now amended, clearly distinguishes over Okabe. Claims 2-12, 16 and 22-24, which depend from claim 1, distinguish from Okabe for at least the foregoing reasons. Accordingly, Applicant respectfully submits that claims 1-12, 16 and 22-24 are in condition for allowance, and so respectfully request withdrawal of the rejection based upon 35 U.S.C. § 102(a).

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 5, 2005 .	
	8/5/05
Attorney for Applicants	Date of Signature

Respectfully submitted,


Samuel G. Campbell, III
Attorney for Applicants
Reg. No. 42,381
Telephone: (512) 439-5084
Facsimile: (512) 439-5099